

# Glossary of Court-related Terms

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<b>Acquittal</b>	The finding of not guilty.
<b>Adjudication</b>	A judicial decision that a defendant has violated the law or committed an offense. A juvenile can be adjudicated a delinquent for criminal offenses. A juvenile adjudication is not the same as an adult conviction.
<b>Appeal</b>	The act of seeking a higher court's review of a lower court's decision.
<b>Arraignment</b>	A hearing before a judge during which the judge reads the charges to the defendant and the defendant pleads guilty or not guilty.
<b>Arrest</b>	The taking of a person into custody by an officer of the law.
<b>Bail</b>	Money a defendant puts up (usually a bond) to allow his or her release from custody and to guarantee his or her appearance at a future hearing.
<b>Bailiff</b>	The individual in the courtroom who helps the judge manage the evidence and maintain order in the courtroom.
<b>Beyond a reasonable doubt</b>	A standard of proof required to convict a person of a crime. The jury has a high degree of certainty about the defendant's guilt, although they need not be 100 percent convinced.
<b>Burden of proof</b>	A party's duty to prove a disputed fact.
<b>Capital offense</b>	An offense that has death as a penalty.
<b>Certification</b>	A decision made by a judge to try a juvenile in adult court.
<b>Charge</b>	The process of accusing the defendant of a crime.
<b>Circumstantial evidence</b>	Facts or testimony not based on actual personal knowledge or observation, by which other non-substantiated facts can be reasonably inferred.
<b>Citation</b>	A citation or notice to appear, a type of summons prepared and served by a law enforcement official
<b>Civil lawsuit</b>	A lawsuit brought by individuals, companies or agencies against other individuals, companies or agencies to obtain relief for injuries suffered, monetary loss, physical injury, etc.
<b>Closing argument</b>	A speech to the jury by the prosecutor and then the defense to try to convince the jurors how the evidence proves his or her side of the case.
<b>Complaint</b>	A legal written document by a person bringing a civil lawsuit stating his or her claims against the defendant. Also, the written document charging an alleged criminal defendant.
<b>Criminal Procedures</b>	The legal rules dealing with investigating, prosecuting, adjudicating, and punishing individuals for violating criminal laws. The rules, whether federal or state, may cover procedural issues such as criminal arraignment, bail, pretrial release, preliminary hearings, plea bargaining, criminal trials, and criminal discovery.

<b>Decree</b>	A final judgment or determination of a court.
<b>Default</b>	A default in an action occurs when a defendant fails to appear at the trial allowing the plaintiff to win.
<b>Defendant</b>	Person who is sued in a civil case or accused in a criminal case.
<b>Delinquency</b>	The violation of a law by a juvenile. Once in juvenile court, a juvenile charged as a delinquent will be represented by a public defender from the first hearing on because possible consequences for admitting a delinquency charge can include placement outside of the child's home.
<b>Due process</b>	The notion, grounded in the Fifth and Fourteenth amendments to the U. S. Constitution, of rights in most court and administrative proceedings to receive sufficient notice of the proceeding, to be allowed to defend oneself in an orderly proceeding adapted to the nature of the case, and that every person have the protection of a day in court and the benefit of general law.
<b>Equal protection</b>	This refers to the notion, grounded in the U. S. Constitution, that no person or class of persons be denied the same protection of the laws which is enjoyed by other persons or other classes in like circumstances in their lives, liberty, property and in their pursuit of happiness.
<b>Extended Jurisdiction Juvenile</b>	When a juvenile between the ages of 14-17 commits a serious or violent offense, the court may order a juvenile disposition and an adult sentence. The juvenile disposition is imposed and the juvenile is placed on probation until the age of 21. If the juvenile violates the terms of probation, the adult sentence could be imposed, which may include prison time.
<b>Felony</b>	The most serious category of criminal offenses. With penalties of imprisonment ranging from a year and a day to life, or in some states, punishable by death. In Minnesota, a felony is a crime punishable by imprisonment of more than one year, with or without a fine.
<b>Finding</b>	The determination of fact by a judge.
<b>Fine</b>	The monetary penalty assessed against a defendant.
<b>Forfeitures</b>	Forfeiture occurs when a person gives up money, property, or privileges to compensate for losses resulting from a breach of a legal obligation. In criminal law, it may also refer to the government seizure of property connected to illegal activity.
<b>Fraud</b>	Intentional perversion of truth in order to induce another to part with something of value or to surrender a legal right.
<b>Grand jury</b>	In Minnesota, a panel of twenty-three citizens who hear evidence against a person accused of a crime and determine whether that person should stand trial. A grand jury can also investigate various aspects of government at its own initiative, particularly charges of corruption or mismanagement.
<b>Gross</b>	A crime with penalties of imprisonment from 91 days to one year or a fine of not more

<b>misdemeanor</b>	than \$3,000 or both.
<b>Homicide</b>	The killing of one human by another, first-degree is the most serious, involves premeditation.
<b>Immunity</b>	Freedom from or protection against penalty. For example, an accused person may agree to give testimony in return for immunity from the prosecution.
<b>Imprisonment</b>	The placement of an individual in a jail or prison.
<b>Indictment</b>	A written accusation charging that a person has committed a crime.
<b>Injunction</b>	An order by the court issued to prohibit certain future conduct.
<b>Insanity</b>	The inability to know what one is doing and to decide if the action is right or wrong.
<b>Intake</b>	The step in juvenile process during which a decision is made either to detain the juvenile at a detention center or to release to the parents.
<b>Irrelevant facts</b>	Evidence that does not tend to prove or disprove any issue of fact involved in a case.
<b>Judgment</b>	The official decision of the court.
<b>Jury</b>	A group of citizens that decides the outcome of a civil case, or decides whether the defendant is guilty or not guilty in a criminal case. In a felony case, the jury will consist of 12 persons. In a misdemeanor or civil case, the jury consists of 6 persons. In a criminal case, the jury must reach a unanimous verdict.
<b>Law Enforcement Agency</b>	An agency which enforces the law. This may be a local or state police, sheriff, federal agencies such as the Federal Bureau of Investigation (FBI) or the Drug Enforcement Administration (DEA).
<b>Leading question</b>	A question that instructs the witness how to answer, puts words into the witness's mouth or suggests the desired answer.
<b>Litigation</b>	To carry on a legal contest by judicial process.
<b>Miranda warning</b>	After arrest and before questioning, arrested persons must be warned that: 1) they have the right to remain silent; 2) any statement they make may be used as evidence against them; 3) they have a right to the presence of an attorney; and 4) if they cannot afford an attorney, one will be appointed for them prior to any questioning if they so desire.
<b>Misdemeanor</b>	A crime, less serious than a felony, punishable by no more than 90 days in jail.
<b>Omnibus Hearing</b>	A hearing preceding a criminal trial that may encompass two sets of issues: (1) probable cause that the defendant committed the crime charges and (2) admissibility of evidence.
<b>Ordinance Violation</b>	A violation of a law adopted by a town or city council, county board of commissioners, or other municipal governing board.
<b>Parole</b>	To release a convict from prison before his or her term is complete. Release is often conditional on good behavior.
<b>Perjure</b>	To knowingly and willfully give false testimony under oath.

<b>Petitioner</b>	A person who starts a lawsuit; the party seeking to be paid for an injury or because his or her rights have been violated.
<b>Petty Misdemeanor</b>	A minor offense that is prohibited by statute, that does not constitute a crime.
<b>Preponderance of the evidence</b>	The standard of proof that requires the majority of the evidence to prove the case.
<b>Pre-sentence investigation</b>	The procedure after conviction during which the defendant's criminal history is investigated.
<b>Pre-trial hearing</b>	A court procedure during which the issues to be tried are narrowed and certain facts and admissions are agreed upon in order to speed up the trial.
<b>Probable cause</b>	A strong belief, based on facts, that a crime has been committed, that a particular person has committed the crime and that evidence related to the crime exists.
<b>Probation</b>	The process of suspending a sentence, permitting a person to remain free under the supervision of a probation officer instead of serving time in prison.
<b>Prosecution</b>	The institution and continuance of a criminal suit involving the process of pursuing formal charges against an offender to final judgment.
<b>Prosecutor</b>	An attorney who conducts criminal or delinquency proceedings on behalf of the government, usually an assistant county attorney or an assistant U.S. attorney.
<b>Public Defender</b>	An attorney paid by the county, state, or federal government who is responsible for providing representation to indigent defendants in criminal prosecutions when the courts determine the defendant cannot afford to hire a private attorney.
<b>Rehabilitate</b>	To permanently change behavior.
<b>Relevant</b>	Directly related to the issue as it tends either to prove or disprove the point.
<b>Respondent</b>	Person who answers a petition (lawsuit).
<b>Restitution</b>	The sentence often used in addition of a fine or imprisonment, designed to restore the victim to his or her condition before the crime.
<b>Rule 5 Appearance</b>	The defendant's first appearance in a criminal case. The Judge advises the defendant of the charges and his/her rights. The Judge also sets bail and/or conditions of release from custody. In misdemeanors and some gross misdemeanors, a defendant may enter a plea at this time.
<b>Rule 8 Hearing</b>	A second appearance in a criminal case where a defendant is again advised of the charges and of his/her rights, and given an opportunity to enter a guilty plea. If a defendant does not plead guilty, an omnibus hearing is scheduled or waived.
<b>Settlement</b>	An agreement between plaintiff and defendant in a civil case prior to trial.
<b>Sentence</b>	The time to be served in a prison or jail; also includes fine, probation, restitution and community service.
<b>Standard of proof</b>	The burden of proof required in particular types of cases.
<b>State</b>	The party in a criminal trial that represents the public in matters of violations of state law.

<b>Status offense</b>	A class of crimes that concerns the accused characteristics; for example - truancy only applies to minors.
<b>Statutory law</b>	A law enacted by a legislature.
<b>Stay of Adjudication</b>	A case where a defendant enters a guilty plea, and the Judge withholds convicting the defendant, provided the defendant successfully completes probationary conditions which may include local jail time. The case is dismissed at the end of a successful probationary period.
<b>Stay of Execution</b>	When the Court pronounces a prison sentence but stays the prison time and places a defendant on probation subject to conditions which may include local jail time and treatment.
<b>Stay of Imposition</b>	When the Court does not impose a prison sentence, but places a defendant on probation subject to conditions which may include local jail time and treatment. If the defendant successfully completes probation a felony or gross misdemeanor is reduced to a misdemeanor conviction.
<b>Stipulation</b>	A written or oral agreement between attorneys or parties concerning some phase of a lawsuit.
<b>Subpoena</b>	An order compelling a witness to appear and give testimony before a court.
<b>Substantiated facts</b>	The facts that have been verified.
<b>Summons</b>	A written notice 1) requiring the named person to appear in court on a specified day; or 2) informing the named person that a lawsuit has been started against him or her and he or she must answer.
<b>Suspended sentence</b>	If certain conditions are met, a jail sentence need not be served. The sentence is then suspended.
<b>Tort</b>	A "tort" is an injury to another person or to property, which is compensable under the law. A tort is a non-contractual, non-criminal wrongdoing.
<b>Unlawful detainer</b>	A legal action between a landlord and a tenant concerning the right to occupy the premises.
<b>Victim Impact Statement</b>	The statement a victim has a right to give to the Judge before a sentence is imposed describing the trauma, economic loss, and/or damage suffered by the victim and the victim's reaction to the proposed sentence.
<b>Warrant</b>	An order directing a law enforcement agent to arrest an individual and bring him/her before a Judge.